

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF TEXAS  
3 WACO DIVISION

4 UNITED STATES OF AMERICA ) Docket No. WA 19-CR-258(6) ADA  
5 )  
6 vs. ) Waco, Texas  
7 )  
8 CARLINE STONE BOLDING ) March 3, 2020

9 TRANSCRIPT OF REARRAIGNMENT/PLEA  
10 BEFORE THE HONORABLE JEFFREY C. MANSKE

11 APPEARANCES:

12 For the United States: Ms. Stephanie Smith-Burris  
13 Assistant U.S. Attorney  
14 800 Franklin Avenue, Suite 280  
15 Waco, Texas 76701

16 For the Defendant: Mr. Chris Bullajian  
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24  
25 Proceedings reported by digital sound recording,  
transcript produced by computer aided-transcription.

1 (Proceedings commence at 9:36 a.m.)

2 THE CLERK: Case No. W-19-CR-334, Defendant No.  
3 2, The United States of America vs. Jeremy Leon Ornelas.

4 MS. SMITH-BURRIS: Stephanie Smith-Burris for the  
5 government for this case and all cases called for pleas  
6 today.

7 THE COURT: Thank you, Ms. Smith-Burris.

8 MS. SMITH-BURRIS: Yes, sir.

9 MR. PETERSON: Scott Peterson on behalf of Mr.  
10 Ornelas.

11 THE COURT: Hello, Mr. Peterson.

12 THE CLERK: Case No. W-20-CR-04, The United  
13 States of America vs. Stevie Defrando Buckner, Jr.

14 MR. YOUNG: Doyle Young for Mr. Buckner, your  
15 Honor.

16 THE COURT: Hello, Mr. Young.

17 THE CLERK: Case No. W-19-CR-338, Defendant No.  
18 2, The United States of America vs. William Ryan James.

19 MR. HUNT: Russell Hunt, Jr. for Mr. James.

20 THE COURT: Hello. How are you?

21 MR. HUNT: Good morning, your Honor.

22 THE CLERK: Case No. W-19-CR-338, Defendant No.  
23 5, The United States of America vs. Trent Michael Freeman.

24 MR. CRAWFORD: Michael J. Crawford here for Trent  
25 Freeman.

1 THE COURT: All right. Thank you, Mr. Crawford.

2 MR. CRAWFORD: Thank you.

3 THE CLERK: Case No. W-19-CR-338, Defendant No.

4 1, The United States of America vs. Lucas James Tighe.

5 MS. DIAZ: Sharon Diaz here for Mr. Tighe.

6 THE COURT: Good morning, Ms. Diaz.

7 MS. DIAZ: Good morning.

8 THE CLERK: Case No. W-19-CR-264, Defendant No.

9 1, The United States of America vs. Gary Dalton Middleton.

10 MR. MACLEMORE: Dan MacLemore for Mr. Middleton.

11 Good morning, Judge.

12 THE COURT: Good morning. How are you, sir?

13 MR. MACLEMORE: Doing very well. How about  
14 yourself?

15 THE COURT: Good. Good.

16 THE CLERK: Case No. W-19-CR-328, Defendant No.

17 1. The United States of America vs. Cassie Francis Gooch.

18 MR. MCCLINTON: Matthew McClinton for Ms. Gooch,  
19 your Honor.

20 THE COURT: Hello, Mr. McClinton. How are you  
21 doing?

22 MR. MCCLINTON: Good morning.

23 THE CLERK: Case No. W-19-CR-258, Defendant No.

24 6, The United States of America vs. Carline Stone Bolding.

25 MR. BULLAJIAN: Chris Bullajian for Ms. Bolding.

1 THE COURT: Hello, Mr. Bullajian. How are you?

2 MR. BULLAJIAN: Good.

3 THE COURT: Good.

4 THE CLERK: Case No. W-20-CR-7, Defendant No. 1,  
5 The United States of America vs. Abdiel Dominguez.

6 MR. BOYD: Good morning, your Honor.

7 Zachary Boyd for Mr. Dominguez.

8 THE COURT: Good morning, Mr. Boyd. How are you  
9 doing?

10 MR. BOYD: Great.

11 THE COURT: Good.

12 THE CLERK: Case No. W-20-CR-15, Defendant No. 1,  
13 The United States of America vs. Luis Montalvo-Guzman.

14 MR. MARTINEZ: Phil Martinez for Mr.  
15 Montalvo-Guzman, your Honor.

16 THE COURT: Good morning, Mr. Martinez.

17 MR. MARTINEZ: Good morning.

18 THE CLERK: All cases called for felony  
19 rearraignment. If each of the defendants would please  
20 raise your right hand.

21 Do each of you solemnly swear that the statements  
22 which you may give in the case now before the Court shall  
23 be the truth, the whole truth, and nothing but the truth,  
24 so help you God?

25 (Affirmative responses given.)

1 THE COURT: All right. Good morning, everyone.

2 Beginning Mr. Ornelas, I would like for each of  
3 you to state your full name, first, middle and last, for  
4 the record, then tell me how old you are and, finally, how  
5 far you went in school.

6 Mr. Ornelas.

7 DEFENDANT ORNELAS: Jeremy Leon Ornelas. I made  
8 it to eleventh grade. I got a GED and I'm 44 years old.

9 THE COURT: All right. Very good.

10 Mr. Buckner.

11 DEFENDANT BUCKNER: Stevie um -- Buckner --

12 MR. YOUNG: Mr. Buckner has a speech impediment  
13 that causes him to take a little bit of time.

14 THE COURT: That's fine. Take your time. No  
15 rush.

16 DEFENDANT BUCKNER: Defrando and I'm 30 years  
17 old -- 36.

18 THE COURT: All right. Did you graduate twelfth  
19 grade?

20 DEFENDANT BUCKNER: No, sir.

21 THE COURT: Do you have a GED? All right. Let  
22 the record reflect, he should have said no. Thank you.

23 Mr. James.

24 DEFENDANT JAMES: William Ryan James, 36 years  
25 old, GED.

1 THE COURT: Thank you. Last grade completed?

2 DEFENDANT JAMES: Tenth grade.

3 THE COURT: Thank you.

4 Mr. Freeman.

5 DEFENDANT FREEMAN: Trent Michael Freeman, 37  
6 years old. I have a diploma, twelfth grade.

7 THE COURT: All right. Thank you.

8 Mr. Tighe.

9 DEFENDANT TIGHE: Lucas James Tighe, 37 years  
10 old. I completed tenth grade and got my GED.

11 THE COURT: Thank you.

12 Mr. Middleton.

13 DEFENDANT MIDDLETON: Gary Dalton Middleton, 32  
14 and twelfth grade, some college.

15 THE COURT: Thank you.

16 Ms. Gooch.

17 DEFENDANT GOOCH: Cassie Frances Gooch. I'm 34  
18 and I have my high school diploma; so twelfth grade.

19 THE COURT: All right. Thank you.

20 Ms. Bolding.

21 DEFENDANT BOLDING: Carline Stone Bolding, 49. I  
22 completed ninth and received my GED.

23 THE COURT: Thank you, ma'am.

24 Mr. Dominguez.

25 DEFENDANT DOMINGUEZ: Abdiel Dominguez. I'm 27

1 years old, high school diploma and business administration  
2 certificate.

3 MR. BOYD: Your Honor, even though the Court  
4 records indicate he needs an interpreter, obviously he  
5 understands English.

6 THE COURT: All right. Very good. Thank you.  
7 Mr. Montalvo.

8 DEFENDANT MONTALVO-GUZMAN: Luis Montalvo-Guzman.  
9 I am 34 years old, fifth grade.

10 THE COURT: Can you read or write the Spanish  
11 language?

12 DEFENDANT MONTALVO-GUZMAN: Yes.

13 THE COURT: Thank you.

14 Do any of you folks suffer from any physical or  
15 mental condition that might affect your ability to  
16 understand why you're here in court this morning? Mr.  
17 Ornelas?

18 DEFENDANT ORNELAS: No, sir.

19 THE COURT: Mr. Buckner?

20 DEFENDANT BUCKNER: No, sir.

21 THE COURT: Mr. James?

22 DEFENDANT JAMES: No, sir.

23 THE COURT: Mr. Freeman?

24 DEFENDANT FREEMAN: No, sir.

25 THE COURT: Mr. Tighe?

1           DEFENDANT TIGHE:   No, sir.

2           THE COURT:   Mr. Middleton?

3           DEFENDANT MIDDLETON:   No, sir.

4           THE COURT:   Ms. Gooch?

5           DEFENDANT GOOCH:   No, sir.

6           THE COURT:   Ms. Bolding?

7           DEFENDANT BOLDING:   No, sir.

8           THE COURT:   Mr. Dominguez?

9           DEFENDANT DOMINGUEZ:   No, sir.

10          THE COURT:   And, Mr. Montalvo?

11          DEFENDANT MONTALVO-GUZMAN:   No.

12          THE COURT:   Are any of you currently under the  
13 influence of any drug, alcohol, or medication that's  
14 currently affecting your ability to understand why you're  
15 here in court?   Mr. Ornelas?

16          DEFENDANT ORNELAS:   No, sir.

17          THE COURT:   Mr. Buckner?

18          DEFENDANT BUCKNER:   No, sir.

19          THE COURT:   Mr. James?

20          DEFENDANT JAMES:   No, sir.

21          THE COURT:   Mr. Freeman?

22          DEFENDANT FREEMAN:   No, sir.

23          THE COURT:   Mr. Tighe?

24          DEFENDANT TIGHE:   No, sir.

25          THE COURT:   Mr. Middleton?



1           DEFENDANT MIDDLETON:  No, sir.

2           THE COURT:  Ms. Gooch?

3           DEFENDANT GOOCH:  No, sir.

4           THE COURT:  Ms. Bolding?

5           DEFENDANT BOLDING:  No, sir.

6           THE COURT:  Mr. Dominguez?

7           DEFENDANT DOMINGUEZ:  No, sir.

8           THE COURT:  And, Mr. Montalvo?

9           DEFENDANT MONTALVO-GUZMAN:  No, sir.

10          THE COURT:  Thank you.

11          Counsel, have each of you had a sufficient  
12 opportunity to confer with your clients to determine  
13 whether or not they're competent?  And by competent, I  
14 mean they possess both a factual as well as a rational  
15 understanding these proceedings.

16          Mr. Peterson?

17          MR. PETERSON:  I have, your Honor.  I believe  
18 he's competent.

19          THE COURT:  Thank you.

20          Mr. Young?

21          MR. YOUNG:  I have, your Honor.  I think that  
22 he's competent.

23          THE COURT:  All right.  Thank you.

24          Mr. Hunt?

25          MR. HUNT:  Yes, your Honor.  I believe Mr. James

1 is competent.

2 THE COURT: Thank you.

3 Mr. Crawford?

4 MR. CRAWFORD: Yes, your Honor. My client is  
5 competent.

6 THE COURT: Thank you.

7 Ms. Diaz?

8 MS. DIAZ: Yes, your Honor. I believe Mr.  
9 Tighe's competent.

10 THE COURT: Thank you.

11 Mr. MacLemore?

12 MR. GUESS: Yes, sir. I believe that Mr.  
13 Middleton is competent.

14 THE COURT: Thank you.

15 Mr. McClinton?

16 MR. MCCLINTON: Yes, your Honor. I believe Ms.  
17 Gooch is competent.

18 THE COURT: Thank you.

19 Mr. Bullajian?

20 MR. BULLAJIAN: I have and I do believe Ms.  
21 Bolding is competent.

22 THE COURT: Thank you.

23 Mr. Boyd?

24 MR. BOYD: Your Honor, I have and I believe Mr.  
25 Dominguez is competent.

1 THE COURT: Thank you.

2 Mr. Martinez?

3 MR. MARTINEZ: I have, your Honor, and I believe  
4 Mr. Montalvo-Guzman is competent.

5 THE COURT: All right. Ms. Smith-Burris, I see  
6 that there are two plea agreements before the court this  
7 morning. First, in the matter of Mr. Ornelas and then,  
8 Mr. James. If you could please summarize the terms and  
9 conditions of those agreements and confirm those are the  
10 only two plea agreements.

11 MS. SMITH-BURRIS: That is correct, your Honor.  
12 Those are the only two.

13 THE COURT: All right. Excellent.

14 MS. SMITH-BURRIS: As to Jeremy Leon Ornelas, the  
15 defendant has agreed to enter a plea of guilty to the  
16 indictment on file against him. The United States  
17 Attorney agrees to refrain from prosecuting this defendant  
18 for any other Title 18, United States Code violations of  
19 which the United States is now aware. The defendant  
20 understands that as a part of this plea agreement, he is  
21 waiving his right to appeal subject to the limitations as  
22 set out in the written plea agreement.

23 The defendant understands that he will be ordered  
24 to pay restitution and that that liability shall be joint  
25 and several with that of any other defendant who's been

1 ordered or will be ordered to make restitution for the  
2 offenses in this matter. The defendant understands that  
3 the written plea agreement, which does include the factual  
4 basis, is the entire agreement between the defendant, his  
5 counsel, and the United States.

6 THE COURT: Is that a fair and accurate summary,  
7 Mr. Peterson?

8 MR. PETERSON: It is, your Honor.

9 THE COURT: And, Mr. Ornelas, do you accept and  
10 approve of it?

11 DEFENDANT ORNELAS: Yes, sir.

12 THE COURT: Thank you.

13 Moving now to Mr. James.

14 MS. SMITH-BURRIS: As to William Ryan James, the  
15 defendant has agreed to enter a plea of guilty to Count 2  
16 of the indictment on file against him. In exchange, the  
17 United States agrees to dismiss any remaining charges  
18 against the defendant at the time of sentencing. The  
19 United States Attorney agrees to refrain from prosecuting  
20 this defendant for any other Title 18, United States Code  
21 violations of which the United States is now aware.

22 The defendant does understand that as a part of  
23 this plea agreement, he is waiving his right to appeal  
24 subject to the limitations as set out in the written plea  
25 agreement. And the plea agreement on file, which does

1 include the factual basis, is the entire agreement between  
2 the defendant, his counsel, and the United States.

3 THE COURT: All right. Mr. Hunt, is that a fair  
4 and accurate summary?

5 MR. HUNT: Yes, your Honor.

6 THE COURT: Mr. James, do you accept and approve  
7 of it?

8 DEFENDANT JAMES: Yes, sir.

9 THE COURT: And, Mr. James, and, Mr. Ornelas,  
10 have each of you read and reviewed each paragraph of the  
11 plea agreement that have been entered into between  
12 yourself and the United States? Have you, Mr. Ornelas?

13 DEFENDANT ORNELAS: Yes, sir.

14 THE COURT: Have you, Mr. James?

15 DEFENDANT JAMES: Yes, sir.

16 THE COURT: And do either of you gentlemen have  
17 any questions regarding any of the terms or provisions of  
18 that agreement? Mr. Ornelas?

19 DEFENDANT ORNELAS: No, sir.

20 THE COURT: Mr. James?

21 DEFENDANT JAMES: No, sir.

22 THE COURT: And do each of you understand that  
23 pursuant to that agreement, you're both waiving your right  
24 to appeal any sentence that you may receive or for any  
25 other matter, except for those very limited circumstances

1 set forth in that agreement? Mr. Ornelas?

2 DEFENDANT ORNELAS: Yes, sir.

3 THE COURT: Mr. James?

4 DEFENDANT JAMES: Yes, sir.

5 THE COURT: And finally, in your case, Mr.

6 Ornelas, do you understand that restitution is going to be

7 ordered to be made to any identifiable victims that

8 sustained any loss in this matter pursuant to that plea

9 agreement? Do you, likewise, understand that?

10 DEFENDANT ORNELAS: Yes, sir.

11 THE COURT: Any questions about that?

12 DEFENDANT ORNELAS: No, sir.

13 THE COURT: All right. Very good. Thank you.

14 Mr. Ornelas, you're charged with a violation of

15 Title 18, United States Code, section 1028(f) and (a)(7)

16 and (b)(1)(D), conspiracy to commit identity theft. That

17 is a 15-year maximum term of imprisonment, a \$250,000

18 maximum fine, a \$100 mandatory special assessment, and a

19 three-year term of supervised release.

20 Do you understand the charge and range of

21 punishment?

22 DEFENDANT ORNELAS: Yes, sir.

23 THE COURT: Supervised release is a potential

24 punishment in everyone's case. That is a period of time

25 served after any jail sentence. It has conditions you

1 have to comply with. It involves reporting to a probation  
2 officer. Most important thing I can tell you about  
3 supervised release is, if you mess up, violate any of its  
4 conditions, it can be revoked, and you could end up going  
5 back to jail potentially for up to the number of years for  
6 which you're placed on supervised release.

7 In the matter of Mr. Dominguez and Mr. Montalvo,  
8 your supervised release will be of a non-reporting variety  
9 meaning that after you complete whatever sentence you are  
10 sentenced to in the United States jail, if you're  
11 ultimately deported, then the special condition would be  
12 that you not return to the United States absent the  
13 appropriate permissions.

14 If you were to do so, then your term of  
15 supervised release could be revoked, you could go back to  
16 jail for up to a year, and then, you could also be charged  
17 at that point with a new illegal reentry offense, this  
18 time, after having previously been convicted of a felony,  
19 and that carries up to 10 years in the United States jail  
20 prior to deportation.

21 Does everyone understand how supervised release  
22 works? Mr. Ornelas, do you?

23 DEFENDANT ORNELAS: Yes, sir.

24 THE COURT: Mr. Buckner?

25 DEFENDANT BUCKNER: Yes, sir.

1 THE COURT: Mr. James?

2 DEFENDANT JAMES: Yes, sir.

3 THE COURT: Mr. Freeman?

4 DEFENDANT FREEMAN: Yes, sir.

5 THE COURT: Mr. Tighe?

6 DEFENDANT TIGHE: Yes, sir.

7 THE COURT: Mr. Middleton?

8 DEFENDANT MIDDLETON: Yes, sir.

9 THE COURT: Ms. Gooch?

10 DEFENDANT GOOCH: Yes, sir.

11 THE COURT: Ms. Bolding?

12 DEFENDANT BOLDING: Yes, sir.

13 THE COURT: Mr. Dominguez?

14 DEFENDANT DOMINGUEZ: Yes, sir.

15 THE COURT: And, Mr. Montalvo?

16 DEFENDANT MONTALVO-GUZMAN: Yes, sir.

17 THE COURT: All right. Very good.

18 Mr. Buckner, and, Mr. Tighe, each of you are  
19 charged with a violation of Title 18, United States Code,  
20 Section 922(g)(1) and 924(a)(2), being in possession of a  
21 firearm by one previously convicted of a felony.

22 That carries a 10-year maximum term of  
23 imprisonment, a \$250,000 maximum fine, a \$100 mandatory  
24 special assessment that goes to the Crime Victims Fund,  
25 and then, a three-year term of supervised release.



1           Mr. Buckner, do you understand the charge against  
2 you and the range of punishment?

3           DEFENDANT BUCKNER: Yes, sir.

4           THE COURT: All right. Thank you.

5           Mr. James, and, Mr. Tighe, each of you have a  
6 count of possession of a stolen firearm and aiding and  
7 abetting someone in the commission of that offense, in  
8 violation of 18 U.S.C. 922(j) and 924(a)(2), and Title 18,  
9 United States Code, Section 2.

10           Likewise, that carries a 10-year maximum term of  
11 imprisonment, a \$250,000 maximum fine, the \$100 mandatory  
12 special assessment, and up to a three-year term of  
13 supervised release.

14           Mr. James, do you understand the charge and range  
15 of punishment?

16           DEFENDANT JAMES: Yes, sir.

17           THE COURT: All right. Mr. Freeman, and, Mr.  
18 Tighe, each of you also have a count of conspiracy to  
19 possess stolen firearms, in violation of Title 18, United  
20 States Code, Section 371, 922(j) and 924(a)(2).

21           That offense carries a five-year maximum term of  
22 imprisonment, a \$250,000 maximum fine, a \$100 mandatory  
23 special assessment, and a three-year term of supervised  
24 release.

25           Mr. Freeman, do you understand the one charge

1 against you and the range of punishment?

2 DEFENDANT FREEMAN: Yes, sir.

3 THE COURT: And, Mr. Tighe, do you understand all  
4 three of the charges and the range of punishment for each?

5 DEFENDANT TIGHE: Yes, sir.

6 THE COURT: All right. Very good.

7 Mr. Middleton, you, too, are facing a possession  
8 of a stolen firearm charge, in violation of 18 U.S.C.  
9 922(j) and 924(a)(2), 10-year maximum term of  
10 imprisonment, \$250,000 maximum fine, \$100 mandatory  
11 special assessment, and a three-year term of supervised  
12 release.

13 Do you understand the charge and range of  
14 punishment, sir?

15 DEFENDANT MIDDLETON: Yes, sir.

16 THE COURT: All right. Ms. Gooch, you are  
17 charged with the distribution of methamphetamine, a  
18 Schedule II controlled substance, in violation of 21  
19 U.S.C. 841(a)(1) and (b)(1)(C).

20 That carries a 20-year maximum term of  
21 imprisonment, a \$1 million maximum fine, a \$100 mandatory  
22 special assessment, and a three-year term of supervised  
23 release.

24 Do you understand the charge and range of  
25 punishment, Ms. Gooch?

1           DEFENDANT GOOCH:   Yes, sir.

2           THE COURT:   All right.   Ms. Bolding, you're  
3 charged with a violation of 21 U.S.C. 846, 841(a)(1) and  
4 (b)(1)(B)(viii), conspiracy to possess with intent to  
5 distribute at least 500 grams of methamphetamine, a  
6 Schedule II controlled substance.

7           Ma'am, that does carry a mandatory minimum  
8 10-year sentence, up to a maximum of a lifetime in prison.  
9 It does carry a \$10 million maximum fine, a \$100 mandatory  
10 special assessment, and a five-year minimum term of  
11 supervised release.

12           Do you understand the charge and range of  
13 punishment?

14           DEFENDANT BOLDING:   Yes, sir.

15           THE COURT:   All right.   Mr. Dominguez, and, Mr.  
16 Montalvo, each of you are charged with violation of Title  
17 8, United States Code, Section 1326(a), the illegal  
18 reentry into the United States.

19           That carries up to two years in a United States  
20 jail prior to deportation, a \$250,000 maximum fine, a \$100  
21 mandatory special assessment, followed by the one year  
22 term of non-reporting supervised release.

23           Mr. Dominguez, do you understand the charge and  
24 range of punishment?

25           DEFENDANT DOMINGUEZ:   Yes, sir.

1 THE COURT: Mr. Montalvo?

2 DEFENDANT MONTALVO-GUZMAN: Yes.

3 THE COURT: All right. Mr. Ornelas, in the plea  
4 agreement, the indictment is incorporated in its entirety,  
5 setting forth the charge.

6 Have you gone over and discussed that formal  
7 charging instrument, the indictment with Mr. Peterson?

8 DEFENDANT ORNELAS: Yes, sir.

9 THE COURT: You do have the right to have that  
10 read aloud in open court to make certain you understand  
11 the charge.

12 Would you like to have that read aloud, or do you  
13 waive a reading?

14 DEFENDANT ORNELAS: Waive.

15 THE COURT: All right, then. As to the offense  
16 of conspiracy to commit identity theft, how do you plead,  
17 sir, guilty or not guilty?

18 DEFENDANT ORNELAS: Guilty.

19 THE COURT: All right. Thank you.

20 Set forth in the plea agreement, specifically on  
21 page 3, beginning with paragraph 6 and continuing all the  
22 way through page 7 to paragraph 7, the government  
23 summarizes what they would prove beyond a reasonable doubt  
24 if your case were to proceed to trial.

25 Have you read that and gone over it with Mr.

1 Peterson?

2 DEFENDANT ORNELAS: Yes, sir.

3 THE COURT: Do you agree that's a true and  
4 accurate summary of what you did?

5 DEFENDANT ORNELAS: Yes, sir.

6 THE COURT: And is that what you're pleading  
7 guilty to?

8 DEFENDANT ORNELAS: Yes.

9 THE COURT: You, too, have the right to have that  
10 factual basis read allowed to make certain that you have  
11 no objection.

12 But since you've agreed it's a true and accurate  
13 summary, would you like to waive a reading or have it read  
14 aloud?

15 DEFENDANT ORNELAS: I'll waive.

16 THE COURT: All right. Very good, sir.

17 All right. Mr. Buckner, in your matter, I'm  
18 going to ask the government to set forth the indictment.

19 MS. SMITH-BURRIS: The grand jury charges on or  
20 about January the 6th, 2020, in the Western District of  
21 Texas, the defendant, Stevie Defrando Buckner, Jr., being  
22 a person who knew he had been previously convicted of at  
23 least one of the following crimes, punishable by  
24 imprisonment for a term exceeding one year, to-wit:

25 On April the 5th of 2011, Stevie Defrando

1 Buckner, Jr. was convicted of engaging in organized  
2 criminal activity in the 264th Judicial District Court of  
3 Bell County, Texas, in Cause No. 55670;

4 And on February the 6th of 2015, Stevie Buckner,  
5 Jr. was convicted of possession of a controlled substance  
6 under one gram in the 264th Judicial District Court of  
7 Bell County, Texas, in Cause No. 73504;

8 And did knowingly possess the following firearm,  
9 to-wit: a Smith & Wesson M&P Shield firearm with a serial  
10 number of HDH7744; said firearm having moved in commerce  
11 and affecting commerce, in violation of Title 18, United  
12 States Code, Sections 922(g)(1) and 924(a)(2).

13 THE COURT: Mr. Buckner, do you understand the  
14 charge set forth in the indictment and read here in open  
15 court?

16 DEFENDANT BUCKNER: Yes.

17 THE COURT: Do you have any questions regarding  
18 what you're charged with or the range of punishment?

19 DEFENDANT BUCKNER: No.

20 THE COURT: As to the offense of possession of a  
21 firearm by one previously convicted of a felony, how do  
22 you plead, sir, guilty or not guilty?

23 DEFENDANT BUCKNER: Guilty.

24 THE COURT: Thank you, sir.

25 Filed on February 24th of this year is document

1 No. 21, entitled Factual Basis. It's where the government  
2 summarized what they'd prove in your case beyond a  
3 reasonable doubt if it went to trial.

4 Have you read it?

5 DEFENDANT BUCKNER: Yes, sir.

6 THE COURT: Do you agree what's set forth in that  
7 document -- is that a true and accurate summary of what  
8 you did, sir?

9 DEFENDANT BUCKNER: Yes, sir.

10 THE COURT: And is that what you're pleading  
11 guilty to?

12 DEFENDANT BUCKNER: Yes.

13 THE COURT: Would you like to waive a reading, or  
14 would you like me to have that read aloud?

15 DEFENDANT BUCKNER: Waive.

16 THE COURT: Waive? Thank you, sir.

17 All right. Moving now to the matter of Mr.  
18 James, sir, I note that in your case, the plea agreement  
19 does set forth the indictment in its entirety.

20 Do you understand what you're charged with, sir,  
21 and the range of punishment?

22 DEFENDANT JAMES: Yes, sir.

23 THE COURT: Would you like to have that  
24 indictment read aloud, or would you waive a reading?

25 DEFENDANT JAMES: Waive a reading.

1           THE COURT: All right, then. As to the offense  
2 of possession of a stolen firearm and aiding and abetting  
3 someone in the commission of that offense, how do you  
4 plead, sir, guilty or not guilty?

5           DEFENDANT JAMES: Guilty, sir.

6           THE COURT: Thank you.

7           I do note in your case, the plea agreement,  
8 paragraph 6, beginning on page 3 continuing through page 5  
9 up to paragraph 7, the government summarizes what they'd  
10 prove beyond a reasonable doubt if your case went to  
11 trial.

12           Did you read that portion of the agreement, sir?

13           DEFENDANT JAMES: Yes, sir.

14           THE COURT: And do you agree that's a true and  
15 accurate summary of what you did?

16           DEFENDANT JAMES: Yes, sir.

17           THE COURT: And is that what you're pleading  
18 guilty to?

19           DEFENDANT JAMES: Yes, sir.

20           THE COURT: Would you like me to have the  
21 government read that? Or do you waive a reading of the  
22 factual basis?

23           DEFENDANT JAMES: I waive the reading.

24           THE COURT: Very good. Thank you, sir.

25           All right. Mr. Freeman, I'm going to ask the



1 government to set forth the indictment in your case.

2 MS. SMITH-BURRIS: Your Honor, the indictment  
3 also includes Mr. Tighe. Would the Court prefer me to go  
4 ahead and read the counts associated with each of them?

5 THE COURT: Yes, please.

6 MS. SMITH-BURRIS: The grand jury charges Count  
7 1, the conspiracy and its objects. From on or about June  
8 the 7th of 2019 through at least June 25th, 2019, the  
9 exact dates unknown to the grand jury, in the Western  
10 District of Texas and elsewhere, the defendants, Lucas  
11 James Tighe, Trent Michael Freeman, did knowingly and  
12 willfully combine, conspire and agree together, and with  
13 each other, and others both known and unknown to the grand  
14 jury, to commit an offense against the United States,  
15 to-wit: to receive, possess, conceal, store, barter, sell  
16 and dispose of any stolen firearm which had been shipped  
17 and transported in interstate and foreign commerce before  
18 it was stolen, knowing and having reasonable cause to  
19 believe that the firearm was stolen, contrary to Title 18,  
20 United States, Sections 922(j) and 924(a)(2). It was part  
21 of the conspiracy that the defendants would dispose of the  
22 following stolen firearms in exchange for cash and/or  
23 controlled substances:

24 An H&R Model 999, .22 caliber nine-shot pistol  
25 with the serial number of AX015098; a Smith & Wesson,

1 Model 686-1, .357 caliber mag stainless firearm with a  
2 serial number of AWL7747; a Weatherby bolt action, 300  
3 Weatherby mag with a scope, with a serial number of  
4 VS34979; a Remington bolt action, Model 700 ADL, seven  
5 millimeter with a scope, with a serial number of C6444109;  
6 a Remington bolt action, Model 700 ADL, caliber 270 with a  
7 scope, with a serial number of C6210543; a Savage bolt  
8 action, caliber 22-250 with a scope, with the serial  
9 number of H285768; a Remington pump shotgun, Model 870  
10 Youth Express, 20 gauge, with a serial number of  
11 RS29888-N; a Mossberg, Model Maverick 88 pump, 12-gauge  
12 shotgun, with a serial number of MV32509-E.

13           In furtherance of the conspiracy and to effect  
14 the objects of the conspiracy, the following overt acts,  
15 among others, were committed in the Western District of  
16 Texas and elsewhere:

17           On or about June 13th of 2019, in the Western  
18 District of Texas, the defendants, Lucas James Tighe,  
19 William Ryan James and Rosa Lee Kolar, burglarized a home  
20 and stole firearms.

21           On or about June 15th of 2019, in the Western  
22 District of Texas, the defendant, Lucas James Tighe,  
23 contacted Defendant Kandace Shanell Benningfield. On or  
24 about June the 16th of 2019, in the Northern District of  
25 Texas, Defendants Lucas James Tighe, William Ryan James

1 transported firearms to Defendants Kandace Shanell  
2 Benningfield and Trent Michael Freeman.

3           On or about June 17th of 2019, in the Northern  
4 District of Texas, the defendant, Trent Michael Freeman,  
5 pawned a firearm; and on or about June 20th, 2019, in the  
6 Northern District of Texas, the defendant, Trent Michael  
7 Freeman, pawned a firearm.

8           Count 2. On or about June 13th, 2019, in the  
9 Western District of Texas, the defendant, Lucas James  
10 Tighe, aided and abetted by others, did knowingly possess  
11 at least one of the aforementioned stolen firearms that I  
12 just read aloud in the count previous to this, which had  
13 been shipped and transported in interstate or foreign  
14 commerce before being stolen, knowing and having  
15 reasonable cause to believe that the said firearm was  
16 stolen, in violation of Title 18, United States Code,  
17 Sections 922(j) and 924(a)(2).

18           Count 3, on or about June 13, 2019, in the  
19 Western District of Texas, the defendant, Lucas James  
20 Tighe, being a person who knew he had been previously  
21 convicted of the following crimes, punishable by  
22 imprisonment for a term exceeding one year, to-wit:

23           On November the 10th, 2014, Lucas Tighe was  
24 convicted of unlawful possession of a firearm by a felon  
25 in the 19th Judicial District Court of McLennan County,

1 Texas, in Cause No. 2014-1163-C1;

2 Also, on November 10th, 2014, Lucas Tighe was  
3 convicted of possession of a controlled substance, to-wit:  
4 methamphetamine in the 19th Judicial District Court of  
5 McLennan County, Texas, in Cause No. 20-14-1429-C1;

6 And did knowingly possess one of the following  
7 firearms as outlined in Count 1 of the indictment, the  
8 said firearms having moved in commerce and affecting  
9 commerce, all in violation of Title 18, United States  
10 Code, Sections 922(g)(1) and 924(a)(2).

11 THE COURT: All right. Mr. Freeman, and, Mr.  
12 Tighe, do each of you understand the charges set forth in  
13 your respective indictments and read here in open court?  
14 Mr. Freeman?

15 DEFENDANT FREEMAN: Yes, sir.

16 THE COURT: Mr. Tighe?

17 DEFENDANT TIGHE: Yes, sir.

18 THE COURT: Do either of you two gentlemen have  
19 any questions regarding what you're charged with or the  
20 range of punishment? Mr. Freeman?

21 DEFENDANT FREEMAN: No, sir.

22 THE COURT: Mr. Tighe?

23 DEFENDANT TIGHE: No, sir.

24 THE COURT: All right. Mr. Freeman, as to the  
25 offense of conspiracy to possess stolen firearms as set

1   forth in the indictment, how do you plead, sir, guilty or  
2   not guilty?

3               DEFENDANT FREEMAN:   Guilty, sir.

4               THE COURT:   Thank you, sir.

5               And document No. 97, filed February 24th of this  
6   year, the government summarizes what they'd prove beyond a  
7   reasonable doubt if your case went to trial.

8               Did you read this document, sir?

9               DEFENDANT FREEMAN:   Yes, sir, I did.

10              THE COURT:   Do you agree it's a true and accurate  
11   summary of what you did?

12              DEFENDANT FREEMAN:   Yes, sir, it is.

13              THE COURT:   And what's set forth in document No.  
14   97, is that what you're pleading guilty to, sir?

15              DEFENDANT FREEMAN:   Yes, sir.

16              THE COURT:   Would you like me to have this  
17   document read aloud, or do you waive a reading?

18              DEFENDANT FREEMAN:   I waive the reading.

19              THE COURT:   Thank you, sir.

20              Mr. Tighe, do you have any questions regarding  
21   what you're charged with or the range of punishment for  
22   any of the three counts?

23              DEFENDANT TIGHE:   No, sir.

24              THE COURT:   All right.   As to Count 1, conspiracy  
25   to possess stolen firearms, how do you plead, sir, guilty

1 or not guilty?

2 DEFENDANT TIGHE: Guilty.

3 THE COURT: And as to Count 2, being in  
4 possession of a stolen firearm and aiding and abetting  
5 someone in the commission of that offense, how do you  
6 plead, sir?

7 DEFENDANT TIGHE: Guilty.

8 THE COURT: And as to Count 3, being in  
9 possession of a firearm by one previously convicted of a  
10 felony, how do you plead, sir, guilty or not guilty?

11 DEFENDANT TIGHE: Guilty.

12 THE COURT: All right. Thank you.

13 In your case, document No. 96, filed on February  
14 24th of 2020, the government summarizes what they'd prove  
15 beyond a reasonable doubt if your case went to trial.

16 Did you read document No. 96?

17 DEFENDANT TIGHE: Yes, sir, I did.

18 THE COURT: Do you agree what's set forth in that  
19 document is a true and accurate summary of what you did?

20 DEFENDANT TIGHE: Yes, I did.

21 THE COURT: And is that what you're pleading  
22 guilty to, sir?

23 DEFENDANT TIGHE: Yeah.

24 THE COURT: Would you like to have that document  
25 read aloud, or do you waive a reading?

1           DEFENDANT TIGHE: Waive the reading.

2           THE COURT: Thank you, sir.

3           All right. Moving to Mr. Middleton, if you'll  
4 set forth the indictment.

5           MS. SMITH-BURRIS: Your Honor, this is a  
6 superseding indictment that does include the notice of  
7 government's demand for forfeiture.

8           The grand jury charges: On or about November 14,  
9 2018, in the Western District of Texas, the defendant,  
10 Gary Dalton Middleton, did knowingly possess the following  
11 stolen firearm, to-wit: a Ruger, Model P89DC,  
12 nine-millimeter pistol, with the Serial No. 302-86290,  
13 which had been shipped and transported in interstate or  
14 foreign commerce before being stolen, knowing and having  
15 reasonable cause to believe that the said firearm was  
16 stolen, in violation of Title 18, United States Code,  
17 Section 922(j) and 924(a)(2).

18           As a result of the criminal violations set forth  
19 in Count 1 of the superseding indictment, the United  
20 States hereby gives notice that it intends to forfeit but  
21 is not limited to the below-described property from the  
22 defendant. He shall forfeit all right, title and interest  
23 in the below-described property to the United States as  
24 made applicable to criminal forfeiture by Title 28, United  
25 States Code, Section 2461(c).

1           THE COURT: All right. Mr. Middleton, do you  
2 understand the charge as set forth in the indictment and  
3 read here in open court?

4           DEFENDANT MIDDLETON: Yes, sir.

5           THE COURT: Do you also understand that the  
6 government is seeking to have you forfeit and seize the  
7 various property contained in the notice of forfeiture?

8           DEFENDANT MIDDLETON: Yes, sir.

9           THE COURT: Do you have any questions regarding  
10 the charge, the range of punishment, or the notice of  
11 forfeiture?

12          DEFENDANT MIDDLETON: No, sir.

13          THE COURT: As to the offense of being in  
14 possession of a stolen firearm or firearms, how do you  
15 plead, guilty or not guilty?

16          DEFENDANT MIDDLETON: Guilty.

17          THE COURT: Thank you.

18          In your case, document No. 30 is an amended  
19 factual basis, filed March 2nd, just yesterday.

20          Have you had an opportunity to review that with  
21 Mr. MacLemore?

22          DEFENDANT MIDDLETON: Yes, sir.

23          THE COURT: Do you agree that's a true and  
24 accurate summary of what you did?

25          DEFENDANT MIDDLETON: Yes, sir.



1           THE COURT:   And what's set forth in document No.  
2 30, is that what you're pleading guilty to?

3           MR. MACLEMORE:   Judge, the only exceptions would  
4 be there are some allegations in the factual basis  
5 regarding the number of firearms involved, and a burglary,  
6 and the size of magazines associated with some of those  
7 firearms. We wouldn't necessarily agree to those, but we  
8 would agree with everything else, including possession of  
9 the firearm listed in the indictment.

10          THE COURT:   All right.   So noted.

11          Would you like to have the amended factual basis  
12 read aloud, or do you waive a reading, Mr. Middleton?

13          DEFENDANT MIDDLETON:   I'll waive.

14          THE COURT:   All right.   Thank you.

15          Moving now to Ms. Gooch, if you'll please set  
16 forth the indictment.

17          MS. SMITH-BURRIS:   The grand jury charges on or  
18 about March 30th, 2017, in the Western District of Texas,  
19 the defendant, Cassie Frances Gooch, unlawfully, knowingly  
20 and intentionally distributed a controlled substance,  
21 which offense involved a mixture or substance containing a  
22 detectable amount of methamphetamine, a Schedule II  
23 controlled substance, in violation of Title 21, United  
24 States Code, Sections 841(a)(1) and 841(b)(1)(C).

25          THE COURT:   Ms. Gooch, do you understand the

1 charge set forth in the indictment and read here in open  
2 court?

3 DEFENDANT GOOCH: Yes, sir.

4 THE COURT: Any questions regarding what you're  
5 charged with or the range of punishment?

6 DEFENDANT GOOCH: No, sir.

7 THE COURT: As to the offense of distribution of  
8 methamphetamine, a Schedule II controlled substance, how  
9 do you plead, ma'am, guilty or not guilty?

10 DEFENDANT GOOCH: Guilty.

11 THE COURT: Thank you, ma'am.

12 In your case, document No. 26, filed yesterday,  
13 March 2nd, the government summarized what they'd prove  
14 beyond a reasonable doubt if your case went to trial.

15 Have you read that?

16 DEFENDANT GOOCH: Yes, sir.

17 THE COURT: Do you agree it's a true and accurate  
18 summary of what you did?

19 DEFENDANT GOOCH: Yes, sir.

20 THE COURT: And what's set forth in document No.  
21 26, is that what you're pleading guilty?

22 DEFENDANT GOOCH: Yes, sir.

23 THE COURT: Would you like me to have that read  
24 aloud, or do you waive a reading?

25 DEFENDANT GOOCH: I can waive the reading.

1 THE COURT: All right. Thank you, ma'am.

2 Moving now to Ms. Bolding, if you'll set forth  
3 the indictment.

4 MS. SMITH-BURRIS: The grand jury charges:  
5 Beginning in or about September 2018, the exact date  
6 unknown to the grand jury, and continuing until the  
7 present time, in the Western District of Texas and  
8 elsewhere, the defendant, Carline Stone Bolding, did  
9 unlawfully, knowingly and intentionally combine, conspire  
10 confederate, and agree together, and with each other and  
11 others to the grand jury known and unknown, to commit  
12 offenses against the United States, in violation of Title  
13 21, United States Code Section 846. That is to say, they  
14 conspired to possess with the intent to distribute at  
15 least 500 grams of a mixture or substance containing a  
16 detectable amount of methamphetamine, a Schedule II  
17 controlled substance, contrary to Title 21, United States  
18 Code, Section 841(a)(1).

19 The quantity of the mixture or substance  
20 containing methamphetamine involved in the conspiracy and  
21 attributable to the defendant as a result of this  
22 defendant's own conduct and as a result of the conduct of  
23 any other coconspirators reasonably foreseeable to the  
24 defendant is as follows.

25 As to Carline Stone Bolding, at least 500 grams,

1 in violation of Title 21, United States Code, Section  
2 841(b)(1)(A)(viii), and all in violation of Title 21,  
3 United States Code, Section 846.

4 THE COURT: Ms. Bolding, do you understand the  
5 charge set forth in the indictment and read here in open  
6 court?

7 DEFENDANT BOLDING: Yes, sir.

8 THE COURT: Do you have any questions regarding  
9 what you're charged with or the range of punishment?

10 DEFENDANT BOLDING: No, sir.

11 THE COURT: As to the offense of conspiracy to  
12 possess with intent to distribute at least 500 grams of  
13 methamphetamine, a Schedule II controlled substance, how  
14 do you plead, ma'am, guilty or not guilty?

15 DEFENDANT BOLDING: Guilty.

16 THE COURT: Thank you, ma'am.

17 Document No. 239, filed yesterday, is a six-page  
18 document where the government summarizes what they'd prove  
19 beyond a reasonable doubt if your case went to trial.

20 Have you read this, ma'am?

21 DEFENDANT BOLDING: Yes, sir.

22 THE COURT: Do you agree that's a true and  
23 accurate summary of what you did?

24 DEFENDANT BOLDING: Yes.

25 THE COURT: And is document 239 what you're

1 pleading guilty to?

2 DEFENDANT BOLDING: Yes, sir.

3 THE COURT: All right. Would you like to have  
4 that read aloud, or do you waive a reading?

5 DEFENDANT BOLDING: I waive the reading, sir.

6 THE COURT: Thank you, ma'am.

7 If you'll set forth the indictment in the matter  
8 of Mr. Dominguez.

9 MR. BULLAJIAN: Your Honor, if I -- I'm sorry to  
10 interrupt. Ms. --

11 THE COURT: It's your job.

12 MR. BULLAJIAN: Ms. Bolding has indicated she has  
13 some back pain. Would it be okay with the Court if she  
14 pull up a chair so she could sit?

15 THE COURT: I have no objection.

16 DEFENDANT BOLDING: Thank you, sir.

17 THE COURT: All right. For Mr. Dominguez.

18 MS. SMITH-BURRIS: The grand jury charges: On or  
19 about January the 1st, 2020, in the Western District of  
20 Texas, the defendant, Abdiel Dominguez, an alien,  
21 attempted to enter, entered, and was found in the United  
22 States, having previously been denied admission, excluded,  
23 deported and removed from the United States on or about  
24 August the 23rd, 2019, and the defendant has not received  
25 the consent of the Attorney General of the United States

1 or his successor, the Secretary of the Department of  
2 Homeland Security, to reapply for admission to the United  
3 States, in violation of Title 8, United States Code,  
4 Sections 1326(a) and Title 6, United States Code, Sections  
5 202(3), 202(4) and 557.

6 THE COURT: Mr. Dominguez, do you understand the  
7 charge set forth in the indictment and read here in open  
8 court?

9 DEFENDANT DOMINGUEZ: Yes, sir.

10 THE COURT: Any questions regarding what you're  
11 charged with or the range of punishment?

12 DEFENDANT DOMINGUEZ: No, sir.

13 THE COURT: As to the offense of illegal reentry  
14 into the United States, how do you plead, sir, guilty or  
15 not guilty?

16 DEFENDANT DOMINGUEZ: Guilty, sir.

17 THE COURT: Thank you.

18 What, in summary, would the government prove if  
19 this case were to proceed to trial?

20 MS. SMITH-BURRIS: On January the 1st, 2020, the  
21 defendant was found in the Western District of Texas. He  
22 is a native and citizen of the Republic of Mexico and has  
23 no status to be in the United States legally. He'd been  
24 previously removed on August the 23rd, 2019 and has not  
25 received consent to reapply for admission to the United

1 States.

2 THE COURT: Is that what you did, sir?

3 DEFENDANT DOMINGUEZ: Yes, sir.

4 THE COURT: Is that what you're pleading guilty  
5 to?

6 DEFENDANT DOMINGUEZ: Yes, sir.

7 THE COURT: Thank you, sir.

8 Moving now to Mr. Montalvo-Guzman.

9 MS. SMITH-BURRIS: The grand jury charges: On or  
10 about January 21st, 2019, in the Western District of  
11 Texas, the defendant, Luis Montalvo-Guzman, an alien,  
12 attempted to enter, entered, and was found in the United  
13 States, having previously been denied admission, excluded,  
14 deported and removed from the United States on or about  
15 May 31st, 2010, and the defendant had not received the  
16 consent of the Attorney General of the United States or  
17 his successor, the Secretary of the Department of Homeland  
18 Security, to reapply for admission to the United States in  
19 violation of Title 8, United States Code, Sections  
20 1326(a), and Title 6, United States Code, Sections 202(3),  
21 202(4) and 557.

22 THE COURT: Mr. Montalvo, do you understand the  
23 charge set forth in the indictment and read here in open  
24 court?

25 DEFENDANT MONTALVO-GUZMAN: Yes.

1           THE COURT: Any questions regarding what you're  
2 charged with or the range of punishment?

3           DEFENDANT MONTALVO-GUZMAN: No.

4           THE COURT: As to the offense of illegal reentry  
5 into the United States, how do you plead, sir, guilty or  
6 not guilty?

7           DEFENDANT MONTALVO-GUZMAN: Guilty.

8           THE COURT: What, in summary, would the  
9 government prove if this case were to proceed to trial?

10          MS. SMITH-BURRIS: On January 21st, 2019, the  
11 defendant was found in the Western District of Texas. He  
12 is a native and citizen of the Republic of Mexico and has  
13 no status to be in the United States legally. He'd been  
14 previously removed on May 31st, 2010 and has not received  
15 consent to reapply for admission to the United States.

16          THE COURT: Is that what you did, sir?

17          DEFENDANT MONTALVO-GUZMAN: Yes.

18          THE COURT: Is that what you're pleading guilty  
19 to?

20          DEFENDANT MONTALVO-GUZMAN: Yes.

21          THE COURT: All right. Folks, at this time, I  
22 have a long list of questions to ask you. I'll ask you as  
23 a group and call on you individually for your answers.

24                 Are each of you pleading guilty freely and  
25 voluntarily? Mr. Ornelas?



1           DEFENDANT ORNELAS:   Yes, sir.

2           THE COURT:   Mr. Buckner?

3           DEFENDANT BUCKNER:   Yes, sir.

4           THE COURT:   Mr. James?

5           DEFENDANT JAMES:   Yes, sir.

6           THE COURT:   Mr. Freeman?

7           DEFENDANT FREEMAN:   Yes, sir.

8           THE COURT:   Mr. Tighe?

9           DEFENDANT TIGHE:   Yes, sir.

10          THE COURT:   Mr. Middleton?

11          DEFENDANT MIDDLETON:   Yes, sir.

12          THE COURT:   Ms. Gooch?

13          DEFENDANT GOOCH:   Yes, sir.

14          THE COURT:   Ms. Bolding?

15          DEFENDANT BOLDING:   Yes, sir.

16          THE COURT:   Mr. Dominguez?

17          DEFENDANT DOMINGUEZ:   Yes, sir.

18          THE COURT:   And, Mr. Montalvo?

19          DEFENDANT MONTALVO-GUZMAN:   Yes.

20          THE COURT:   Are each of you pleading guilty  
21 because you are guilty and for no other reason? Mr.  
22 Ornelas?

23          DEFENDANT ORNELAS:   Yes, sir.

24          THE COURT:   Mr. Buckner?

25          DEFENDANT BUCKNER:   Yes, sir.

1 THE COURT: Mr. James?  
2 DEFENDANT JAMES: Yes, sir.  
3 THE COURT: Mr. Freeman?  
4 DEFENDANT FREEMAN: Yes, sir.  
5 THE COURT: Mr. Tighe?  
6 DEFENDANT TIGHE: Yes, sir.  
7 THE COURT: Mr. Middleton?  
8 DEFENDANT MIDDLETON: Yes, sir.  
9 THE COURT: Ms. Gooch?  
10 DEFENDANT GOOCH: Yes, sir.  
11 THE COURT: Ms. Bolding?  
12 DEFENDANT BOLDING: Yes, sir.  
13 THE COURT: Mr. Dominguez?  
14 DEFENDANT DOMINGUEZ: Yes, sir.  
15 THE COURT: And, Mr. Montalvo?  
16 DEFENDANT MONTALVO-GUZMAN: Yes.  
17 THE COURT: Other than the plea agreement in the  
18 matter of Mr. James and Mr. Ornelas, has anyone made a  
19 promise to any of you all that have caused you to plead  
20 guilty? Mr. Ornelas?  
21 DEFENDANT ORNELAS: No, sir.  
22 THE COURT: Mr. Buckner?  
23 DEFENDANT BUCKNER: No, sir.  
24 THE COURT: Mr. James?  
25 DEFENDANT JAMES: No, sir.

1 THE COURT: Mr. Freeman?

2 DEFENDANT FREEMAN: No, sir.

3 THE COURT: Mr. Tighe?

4 DEFENDANT TIGHE: No, sir.

5 THE COURT: Mr. Middleton?

6 DEFENDANT MIDDLETON: No, sir.

7 THE COURT: Ms. Gooch?

8 DEFENDANT GOOCH: No, sir.

9 THE COURT: Ms. Bolding?

10 DEFENDANT BOLDING: No, sir.

11 THE COURT: Mr. Dominguez?

12 DEFENDANT DOMINGUEZ: No, sir.

13 THE COURT: Mr. Montalvo?

14 DEFENDANT MONTALVO-GUZMAN: No.

15 THE COURT: Has anyone threatened you, coerced  
16 you, or forced you in any way into pleading guilty? Mr.  
17 Ornelas?

18 DEFENDANT ORNELAS: No, sir.

19 THE COURT: Mr. Buckner?

20 DEFENDANT BUCKNER: No, sir.

21 THE COURT: Mr. James?

22 DEFENDANT JAMES: No, sir.

23 THE COURT: Mr. Freeman?

24 DEFENDANT FREEMAN: No, sir.

25 THE COURT: Mr. Tighe?

1           DEFENDANT TIGHE:   No, sir.

2           THE COURT:   Mr. Middleton?

3           DEFENDANT MIDDLETON:   No, sir.

4           THE COURT:   Ms. Gooch?

5           DEFENDANT GOOCH:   No, sir.

6           THE COURT:   Ms. Bolding?

7           DEFENDANT BOLDING:   No, sir.

8           THE COURT:   Mr. Dominguez?

9           DEFENDANT DOMINGUEZ:   No, sir.

10          THE COURT:   And, Mr. Montalvo?

11          DEFENDANT MONTALVO-GUZMAN:   No, sir.

12          THE COURT:   Do each of you understand that you  
13 have the right to plead not guilty to these charges? Mr.  
14 Ornelas?

15          DEFENDANT ORNELAS:   Yes, sir.

16          THE COURT:   Mr. Buckner?

17          DEFENDANT BUCKNER:   Yes, sir.

18          THE COURT:   Mr. James?

19          DEFENDANT JAMES:   Yes, sir.

20          THE COURT:   Mr. Freeman?

21          DEFENDANT FREEMAN:   Yes, sir.

22          THE COURT:   Mr. Tighe?

23          DEFENDANT TIGHE:   Yes, sir.

24          THE COURT:   Mr. Middleton?

25          DEFENDANT MIDDLETON:   Yes, sir.

1 THE COURT: Ms. Gooch?

2 DEFENDANT GOOCH: Yes, sir.

3 THE COURT: Ms. Bolding?

4 DEFENDANT BOLDING: Yes, sir.

5 THE COURT: Mr. Dominguez?

6 DEFENDANT DOMINGUEZ: Yes, sir.

7 THE COURT: And, Mr. Montalvo?

8 DEFENDANT MONTALVO-GUZMAN: Yes.

9 THE COURT: Have each of you had enough time to  
10 visit and talk with your lawyers about these charges and  
11 any possible defenses that you might have? Mr. Ornelas,  
12 have you?

13 DEFENDANT ORNELAS: Yes, sir.

14 THE COURT: Mr. Buckner?

15 DEFENDANT BUCKNER: Yes, sir.

16 THE COURT: Mr. James?

17 DEFENDANT JAMES: Yes, sir.

18 THE COURT: Mr. Freeman?

19 DEFENDANT FREEMAN: Yes, sir.

20 THE COURT: Mr. Tighe?

21 DEFENDANT TIGHE: Yes, sir.

22 THE COURT: Mr. Middleton?

23 DEFENDANT MIDDLETON: Yes, sir.

24 THE COURT: Ms. Gooch?

25 DEFENDANT GOOCH: Yes, sir.

1 THE COURT: Ms. Bolding?

2 DEFENDANT BOLDING: Yes, sir.

3 THE COURT: Mr. Dominguez?

4 DEFENDANT DOMINGUEZ: Yes, sir.

5 THE COURT: And, Mr. Montalvo?

6 DEFENDANT MONTALVO-GUZMAN: Yes.

7 THE COURT: All right. Mr. Ornelas, are you  
8 satisfied with the job Mr. Peterson has done as your  
9 attorney?

10 DEFENDANT ORNELAS: Yes, sir.

11 THE COURT: Any complaints regarding his  
12 representation of any type?

13 DEFENDANT ORNELAS: No, sir.

14 THE COURT: Mr. Buckner, are you satisfied with  
15 the job Mr. Young has done as your attorney?

16 DEFENDANT BUCKNER: Yes, sir.

17 THE COURT: Any complaints regarding his  
18 representation of any type?

19 DEFENDANT BUCKNER: No, sir.

20 THE COURT: Thank you.

21 Mr. James, are you satisfied with the job Mr.  
22 Hunt has done as your attorney?

23 DEFENDANT JAMES: Yes, sir.

24 THE COURT: Any complaints regarding his  
25 representation?

1           DEFENDANT JAMES:  No, sir.

2           THE COURT:  Thank you.

3           Mr. Freeman, are you, likewise, satisfied with  
4 the job Mr. Crawford has done as your attorney?

5           DEFENDANT FREEMAN:  Yes, sir.

6           THE COURT:  Any complaints regarding his  
7 representation?

8           DEFENDANT FREEMAN:  No, sir.

9           THE COURT:  Mr. Tighe, are you satisfied with the  
10 job Ms. Diaz has done as your lawyer?

11          DEFENDANT TIGHE:  Yes, sir.

12          THE COURT:  Any complaints regarding her  
13 representation of any type?

14          DEFENDANT TIGHE:  No.

15          THE COURT:  All right.  Mr. Middleton, are you  
16 satisfied with the job Mr. MacLemore has done as your  
17 attorney?

18          DEFENDANT MIDDLETON:  Yes, sir.

19          THE COURT:  Any complaints regarding his  
20 representation?

21          DEFENDANT MIDDLETON:  No, sir.

22          THE COURT:  Ms. Gooch, are you satisfied with the  
23 job Mr. McClinton has done as your attorney?

24          DEFENDANT GOOCH:  Yes, sir.

25          THE COURT:  Any complaints regarding his

1 representation?

2 DEFENDANT GOOCH: No, sir.

3 THE COURT: Ms. Bolding, are you satisfied with  
4 the job Mr. Bullajian has done as your lawyer?

5 DEFENDANT BOLDING: Yes, sir.

6 THE COURT: Any complaints regarding his  
7 representation?

8 DEFENDANT BOLDING: No, sir.

9 THE COURT: Thank you.

10 Mr. Dominguez, are you satisfied with the job Mr.  
11 Boyd has done as your attorney?

12 DEFENDANT DOMINGUEZ: Yes, sir.

13 THE COURT: Any complaints regarding his  
14 representation?

15 DEFENDANT DOMINGUEZ: No, sir.

16 THE COURT: Thank you.

17 Mr. Montalvo, are you satisfied with the job Mr.  
18 Martinez has done as your attorney?

19 DEFENDANT MONTALVO-GUZMAN: Yes.

20 THE COURT: Any complaints regarding his  
21 representation?

22 DEFENDANT MONTALVO-GUZMAN: No.

23 THE COURT: All right. Mr. Dominguez, and, Mr.  
24 Montalvo, because you're both alleged to be citizens of  
25 another country, I do need to advise you that there may be



1 immigration-related consequences if you are found guilty  
2 of this offense, such as you could be excluded, deported,  
3 denaturalized, or have denial of naturalization in your  
4 particular cases.

5 Do each of you understand the possible  
6 immigration-related consequences of being found guilty of  
7 this offense? Mr. Dominguez?

8 DEFENDANT DOMINGUEZ: Yes, sir.

9 THE COURT: Mr. Montalvo?

10 DEFENDANT MONTALVO-GUZMAN: Yes.

11 THE COURT: And have each of you had an  
12 opportunity to review and discuss those  
13 immigration-related consequences with your attorney? Mr.  
14 Dominguez?

15 DEFENDANT DOMINGUEZ: Yes, sir.

16 THE COURT: Mr. Montalvo?

17 DEFENDANT MONTALVO-GUZMAN: Yes.

18 THE COURT: Do either of you have any questions  
19 regarding the immigration-related consequences of being  
20 found guilty? Mr. Dominguez?

21 DEFENDANT DOMINGUEZ: No, sir.

22 THE COURT: Mr. Montalvo?

23 DEFENDANT MONTALVO-GUZMAN: No.

24 THE COURT: To everyone else, the offense to  
25 which you're pleading guilty is a felony, and if you are

1 found guilty of this offense, you could lose certain  
2 valuable civil rights that you have, like the right to  
3 vote, the right to sit on a jury, the right to possess a  
4 firearm as well as the right to run for public office.  
5 Additionally, you could lose government employment and  
6 certain government benefits that you may possess.  
7 Additionally, you could also lose various licenses if you  
8 have any that you currently possess.

9 Do each of you understand the possible  
10 consequences of being found guilty of a felony-level  
11 offense? Mr. Ornelas?

12 DEFENDANT ORNELAS: Yes, sir.

13 THE COURT: Mr. Buckner?

14 DEFENDANT BUCKNER: Yes, sir.

15 THE COURT: Mr. James?

16 DEFENDANT JAMES: Yes, sir.

17 THE COURT: Mr. Freeman?

18 DEFENDANT FREEMAN: Yes, sir.

19 THE COURT: Mr. Tighe?

20 DEFENDANT TIGHE: Yes, sir.

21 THE COURT: Mr. Middleton?

22 DEFENDANT MIDDLETON: Yes, sir.

23 THE COURT: Ms. Gooch?

24 DEFENDANT GOOCH: Yes, sir.

25 THE COURT: And, Ms. Bolding?

1           DEFENDANT BOLDING:   Yes, sir.

2           THE COURT:   All of you are entitled to a trial by  
3 jury.   You're presumed to be innocent.   The government  
4 does have the burden of proving you guilty beyond a  
5 reasonable doubt.   None of you would ever have to prove  
6 your own innocence.   At your trial, your attorneys will  
7 have the right to cross-examine, ask questions of any  
8 witnesses that the government were to call to testify  
9 against you.

10           Also at trial, you can get up here on the witness  
11 stands, testify on your own behalf, tell your side of the  
12 story.   On the other hand, you don't have to say or do  
13 anything.   And the fact that you choose to not put on any  
14 type of defense or offer any type of evidence on your  
15 behalf cannot be used against you in determining whether  
16 or not you're guilty.

17           You have the right to be represented by an  
18 attorney throughout these proceedings, including any  
19 appeal.   Additionally, the testimony that you're giving  
20 here today is subject to the penalties of perjury, meaning  
21 if you haven't been truthful with what you're testifying  
22 to here before the Court, you could be prosecuted for that  
23 offense, which carries jail time and a fine.

24           If you continue with your plea of guilty, then  
25 you're going to waive your right to a trial by jury as

1 well as all the other rights that I have explained to you.  
2 Let me talk to you a little bit about punishment in all  
3 these cases. All of your cases are going to be referred  
4 to the probation department for preparation of a  
5 presentence report. That is a document prepared by a  
6 probation officer based in part upon an interview with  
7 each of you.

8           During that interview, the probation officer is  
9 going to ask you for your version of this particular  
10 offense; also talk to you about your current and past  
11 physical and mental health, your family background, your  
12 employment history and your criminal history, if any. You  
13 are entitled and encouraged to have your attorney with you  
14 during that interview.

15           Additionally, you'll have an opportunity to read  
16 that presentence report prior to sentencing. And your  
17 lawyer is going to have an opportunity to make formal  
18 legal objections to anything they believe is legally  
19 inappropriate that's contained in that document. You'll  
20 also be able to let the judge at sentencing know if there  
21 are any mistakes or mischaracterizations that are found in  
22 that document.

23           Ultimately, the most important part of a  
24 presentence report is the recommendation under the federal  
25 sentencing guidelines as to what an appropriate punishment

1 in your case might be. That's expressed in a range of  
2 months. You could receive a sentence less than that  
3 recommended sentence, or it could be higher than that  
4 recommended sentence. But in no event can you be  
5 sentenced to more time than is the maximum for the  
6 particular offense or the combined offenses in the case of  
7 Mr. Tighe.

8           Let me tell you how that guideline sentence is  
9 generally computed or arrived at. The offense to which  
10 you're pleading guilty, it's assigned an offense level.  
11 It can be increased if the Court attributes what's called  
12 relevant conduct to you. Your lawyer will be able to let  
13 you know, after review of the presentence report, whether  
14 or not that's something that's likely to apply in your  
15 case.

16           The offense level could also be reduced slightly  
17 if the sentencing judge decides to give you credit for  
18 what's called acceptance of responsibility. The guideline  
19 range is also dramatically affected by your criminal  
20 history. If you have a low Criminal History Category I,  
21 it's going to be a lower sentence than someone who has  
22 potentially the same offense but a Criminal History  
23 Category of VI. That is the highest level potentially.

24           Do each of you understand at least in general  
25 terms how that presentence report process and the

1 guidelines work? Do you, Mr. Ornelas?

2 DEFENDANT ORNELAS: Yes, sir.

3 THE COURT: Mr. Buckner?

4 DEFENDANT BUCKNER: Yes, sir.

5 THE COURT: Mr. James?

6 DEFENDANT JAMES: Yes, sir.

7 THE COURT: Mr. Freeman?

8 DEFENDANT FREEMAN: Yes, sir.

9 THE COURT: Mr. Tighe?

10 DEFENDANT TIGHE: Yes, sir.

11 THE COURT: Mr. Middleton?

12 DEFENDANT MIDDLETON: Yes, sir.

13 THE COURT: Ms. Gooch?

14 DEFENDANT GOOCH: Yes, sir.

15 THE COURT: Ms. Bolding?

16 DEFENDANT BOLDING: Yes, sir.

17 THE COURT: Mr. Dominguez?

18 DEFENDANT DOMINGUEZ: Yes, sir.

19 THE COURT: And, Mr. Montalvo?

20 DEFENDANT MONTALVO-GUZMAN: Yes.

21 THE COURT: Let me ask ou: Have each of you had  
22 an opportunity to visit with your lawyers regarding their  
23 best educated guess as to what the guideline range in your  
24 case might be? And I understand they haven't had a chance  
25 to see the presentence report yet. Mr. Ornelas, has your

1 lawyer done that?

2 DEFENDANT ORNELAS: Yes, sir.

3 THE COURT: Mr. Buckner?

4 DEFENDANT BUCKNER: Yes, sir.

5 THE COURT: Mr. James?

6 DEFENDANT JAMES: Yes, sir.

7 THE COURT: Mr. Freeman?

8 DEFENDANT FREEMAN: Yes, sir.

9 THE COURT: Mr. Tighe?

10 DEFENDANT TIGHE: Yes, sir.

11 THE COURT: Mr. Middleton?

12 DEFENDANT MIDDLETON: Yes, sir.

13 THE COURT: Ms. Gooch?

14 DEFENDANT GOOCH: Yes, sir.

15 THE COURT: Ms. Bolding?

16 DEFENDANT BOLDING: Yes, sir.

17 THE COURT: Mr. Dominguez?

18 DEFENDANT DOMINGUEZ: Yes, sir.

19 THE COURT: And, Mr. Montalvo?

20 DEFENDANT MONTALVO-GUZMAN: Yes, sir.

21 THE COURT: Let me advise you, that is just a  
22 guess. It is not binding on the sentencing judge in any  
23 way, whatever your defense attorney told you.

24 Do you understand that, Mr. Ornelas?

25 DEFENDANT ORNELAS: Yes, sir.

1 THE COURT: Mr. Buckner?

2 DEFENDANT BUCKNER: Yes, sir.

3 THE COURT: Mr. James?

4 DEFENDANT JAMES: Yes, sir.

5 THE COURT: Mr. Freeman?

6 DEFENDANT FREEMAN: Yes, sir.

7 THE COURT: Mr. Tighe?

8 DEFENDANT TIGHE: Yes, sir.

9 THE COURT: Mr. Middleton?

10 DEFENDANT MIDDLETON: Yes, sir.

11 THE COURT: Ms. Gooch?

12 DEFENDANT GOOCH: Yes, sir.

13 THE COURT: Ms. Bolding?

14 DEFENDANT BOLDING: Yes, sir.

15 THE COURT: Mr. Dominguez?

16 DEFENDANT DOMINGUEZ: Yes, sir.

17 THE COURT: And, finally, Mr. Montalvo?

18 DEFENDANT MONTALVO-GUZMAN: Yes.

19 THE COURT: All right. At the end this hearing,  
20 I'm going to prepare what's called a report and  
21 recommendation to the sentencing judge. In that document,  
22 I'm going to recommend that he accept the plea agreements  
23 in the matter of Mr. James and Mr. Ornelas;

24 And further, that he find that each of your pleas  
25 of guilty are freely and voluntarily made; that you



1 understand the nature of the charges and penalties; that  
2 you understand your constitutional and statutory rights  
3 and desire to waive them; that all of you are competent to  
4 enter the plea; that you're all satisfied with your  
5 attorney's representation; and based upon what I've either  
6 read or heard here in open court, that there is a  
7 sufficient factual basis to be able to support your plea.

8 I'm, therefore, going to recommend to him that he  
9 accept all of your pleas of guilty and find you guilty of  
10 the offense or offenses to which you've pled guilty here  
11 today.

12 Do all of you understand your rights as I've  
13 explained them to you? Mr. Ornelas?

14 DEFENDANT ORNELAS: Yes, sir.

15 THE COURT: Mr. Buckner?

16 DEFENDANT BUCKNER: Yes, sir.

17 THE COURT: Mr. James?

18 DEFENDANT JAMES: Yes, sir.

19 THE COURT: Mr. Freeman?

20 DEFENDANT FREEMAN: Yes, sir.

21 THE COURT: Mr. Tighe?

22 DEFENDANT TIGHE: Yes, sir.

23 THE COURT: Mr. Middleton?

24 DEFENDANT MIDDLETON: Yes, sir.

25 THE COURT: Ms. Gooch?

1           DEFENDANT GOOCH:   Yes, sir.

2           THE COURT:   Ms. Bolding?

3           DEFENDANT BOLDING:   Yes, sir.

4           THE COURT:   Mr. Dominguez?

5           DEFENDANT DOMINGUEZ:   Yes, sir.

6           THE COURT:   Mr. Montalvo?

7           DEFENDANT MONTALVO-GUZMAN:   Yes.

8           THE COURT:   Do all of you want to continue with  
9 your plea of guilty and waive your right to a trial by  
10 jury?   Mr. Ornelas?

11          DEFENDANT ORNELAS:   Yes, sir.

12          THE COURT:   Mr. Buckner?

13          DEFENDANT BUCKNER:   Yes, sir.

14          THE COURT:   Mr. James?

15          DEFENDANT JAMES:   Yes, sir.

16          THE COURT:   Mr. Freeman?

17          DEFENDANT FREEMAN:   Yes, sir.

18          THE COURT:   Mr. Tighe?

19          DEFENDANT TIGHE:   Yes, sir.

20          THE COURT:   Mr. Middleton?

21          DEFENDANT MIDDLETON:   Yes, sir.

22          THE COURT:   Ms. Gooch?

23          DEFENDANT GOOCH:   Yes, sir.

24          THE COURT:   Ms. Bolding?

25          DEFENDANT BOLDING:   Yes, sir.

1 THE COURT: Mr. Dominguez?

2 DEFENDANT DOMINGUEZ: Yes, sir.

3 THE COURT: And, Mr. Montalvo?

4 DEFENDANT MONTALVO-GUZMAN: Yes.

5 THE COURT: All right. I will then recommend to  
6 the district judge that he accept all of your pleas of  
7 guilty.

8 Is there any objection to Mr. Freeman, Mr.  
9 Middleton, Ms. Gooch and Ms. Bolding being continued on  
10 bond pending further sentencing?

11 MS. SMITH-BURRIS: No objection, your Honor.

12 THE COURT: All right. It's so ordered.

13 Is there anything further from counsel?

14 MS. SMITH-BURRIS: Not from the government.

15 THE COURT: All right. Thank you all for your  
16 patience.

17 (Proceedings conclude at 10:23 a.m.)

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1  
2  
3  
4 REPORTER'S CERTIFICATE  
5

6 I, LILY I. REZNIK, DO HEREBY CERTIFY THAT THE FOREGOING  
7 WAS TRANSCRIBED FROM AN ELECTRONIC RECORDING MADE AT THE  
8 TIME OF THE AFORESAID PROCEEDINGS AND IS A CORRECT  
9 TRANSCRIPT, TO THE BEST OF MY ABILITY, MADE FROM THE  
10 PROCEEDINGS IN THE ABOVE-ENTITLED MATTER, AND THAT THE  
11 TRANSCRIPT FEES AND FORMAT COMPLY WITH THOSE PRESCRIBED BY  
12 THE COURT AND JUDICIAL CONFERENCE OF THE UNITED STATES,  
13 ON THIS 18th DAY OF SEPTEMBER, 2022.  
14  
15

16 *Lily Iva Reznik*

17 ~~~~~  
18 *LILY I. REZNIK, CRR, RMR*  
19 *Official Court Reporter*  
20 *United States District Court*  
21 *Austin Division*  
22 *501 West 5th Street, Suite 4153*  
23 *Austin, Texas 78701*  
24 *(512) 391-8792*  
25 *SOT Certification No. 4481*  
*Expires: 1-31-23*